VS.

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTHONY TAYLOR,

Petitioner,

No. CIV S-05-0860 JAM GGH P

C. EVANS, Warden,

Respondent.

ORDER

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

On February 4, 2008, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within twenty days. Petitioner filed objections.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 72-304, this court has conducted a <u>de novo</u> review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and by proper analysis. Accordingly, IT IS HEREBY ORDERED that:

1	1. The findings and recommendations filed February 4, 2008, are adopted in full;
2	2. Petitioner's motion for leave to file a second amended complaint, filed April 9,
3	2007, is denied, this matter shall proceed upon the remaining claims of the first amended
4	petition;
5	3. Respondent is directed to file an answer within twenty days of the filed date of
6	this order; petitioner is directed to file a traverse within twenty days thereafter.
7	DATED: August 22, 2008
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9	/s/ John A. Mendez UNITED STATES DISTRICT JUDGE
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